

Application No. 10/608,430
Request for Reconsideration
August 2, 2005

REMARKS

Applicants acknowledge the cordial personal interview accorded their undersigned counsel by Examiner Pham on August 1, 2005. The following remarks are respectfully submitted to reflect the discussion which took place at the interview.

The presently claimed invention is a filter for filtering a gas stream. The claimed filter comprises at least one filter mat positioned in the gas stream to remove entrained particles from the gas stream as it passes therethrough. The filter mat comprises a plurality of layers of filter material and a membrane disposed between the layers. In preferred embodiments as claimed in dependent claim 12, the membrane may be made of polysulfone, polyethersulfone, polytetrafluoroethylene, polyether, polypropylene, polyester, and/or mixed esters. In a preferred embodiment claimed in claim 13, the membrane is defined as including a layer of polyamide nanofiber material.

Claims 1-12 and 15 were rejected under 35 U.S.C. §103(a) over Bayerlein et al., U.S. Patent No. 6,153,098. Bayerlein et al. disclose a filter in which a plurality of layers of filter media 52 are spirally wound around a perforated central support tube 24. Because, as the spirally wound filter material fills with collected particles, the fluid being filtered can move in a spiral path until it reaches the end of the filter material and then penetrates the central support tube, Bayerlein et al., include a barrier at the end of the spirally wrapped filter material to collect any particulates from the fluid before it enters the central support tube.

The statement of rejection in the Office Action points to column 8, lines 63-65 of Bayerlein et al. as disclosing a teflon membrane. However, this text does not refer to a membrane, but instead refers to the filter media 52. The filter media layers 52 correspond to applicants filter material layers between which a membrane is disposed, and not to a membrane. Applicant therefore respectfully submits that a proper, *prima facie* case of obviousness has not been made out, and reconsideration and withdrawal of the rejection are respectfully requested.

Application No. 10/608,430
Request for Reconsideration
August 2, 2005

With regard to the rejection of claims 13 and 14 under 35 U.S.C. §103(a) over Bayerlein et al., in view of either Cox et al., U.S. Patent No. 6,524,360 or Benson et al., U.S. Patent No. 6,746,517, suffice it to say that the secondary references do not compensate for the aforementioned deficiencies of the primary reference.

At the interview, Examiner Pham indicated that both the rejection and the finality of the Office Action would be withdrawn and that examination would be re-opened so that she could conduct a further search.

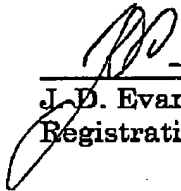
Favorable action on the application is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #037141.51861US).

Respectfully submitted,

August 2, 2005



J.D. Evans
Registration No. 26,269

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDE:vgp